

conviction thereof, pay the sum of one hundred pounds, to be recovered and applied as aforesaid.

Clerks to  
deliver the  
laws, &c.

SEC. 14. *And be it enacted*, That if the clerk of any county, in whose office the acts of the general assembly, and the votes and proceedings, shall be deposited in virtue of this act, shall deliver the same, or any of them, to any person or persons whatsoever, other than to him or them to whom they shall be directed, or to their orders in writing, such clerk shall forfeit and pay the sum of five pounds current money for every such delivery.

Enacted into a permanent law 1798, ch. 71.

#### CHAPTER 53.

A SUPPLEMENT to the ACT \* relating to Replevins.

\* 1785, ch.  
34.

See notes to the original act.

Preamble.

WHEREAS it has been found by experience, that to deprive the citizens of this state of the power of suing writs of replevin in all cases where their property has been taken for taxes by collectors of arrearages, is, in many instances, productive of injustice and oppression ;

Replevins  
may issue  
in certain  
cases, &c.

SEC. 2. *Be it enacted, by the General Assembly of Maryland*, That in all cases where personal property has been taken in execution for public taxes, by collectors of arrearages, and not sold, and where personal property shall hereafter be taken in execution for such taxes by collectors of arrearages, it shall and may be lawful for the person whose property has been or shall be so taken, to apply to any justice of the peace for the county in which he resides, for a warrant to the clerk of the county, authorizing him to issue replevin for the goods so taken ; and if the party applying shall, by his own oath or affirmation, which shall be reduced to writing, and signed by the magistrate, and such other evidence as the said justice may require, satisfy him that it is necessary for the purposes of justice that a replevin should issue, the said justice may and he is hereby authorized to make a warrant to the clerk of his county, under his hand and seal, empowering and directing the said clerk to issue a writ of replevin for the goods and chattels taken as aforesaid, or such part of them as the said justice shall think proper, the said justice specifying in the said warrant the goods and chattels for which the replevin is to be sued out.

Party  
applying, to  
lodge the  
sum due,  
&c.

SEC. 3. *And be it enacted*, That if it shall appear to the said justice that part of the tax is due for which the distress is laid, he shall, in such case, insert in his warrant for replevin, a condition that the party applying shall lodge with the said clerk such sum as shall appear to be due for taxes, (which shall be stated particularly in the warrant,) before any replevin shall be granted ; and upon such sum being lodged, the clerk shall issue